Justice Centre
for Constitutional Freedoms

Parental choice in education:
Alberta's laws protect diversity and religious freedom

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Executive Summary

Christian schools in Alberta are facing hostility and criticism over their statements of faith, their codes of conduct, and their moral expectations of staff and students, particularly those pertaining to sexual behaviour. Some have called for an end to government funding of Christian schools unless these schools agree to modify or repudiate their codes of conduct. As a solution in search of a problem, this hostility has been expressed, to varying degrees, by all four parties represented in the Alberta Legislature.

This hostility towards these Christian schools is not supported in law, and is based on a misunderstanding of secularism. Correctly understood, secularism provides for diversity in belief and conduct. Secularism does not require all individuals to adhere to only one belief system, or to try to void themselves of any and all belief.

In harmony with the *Charter*'s protection of freedom of religion and conscience, section 21 of the Alberta *School Act* (section 19 of the new *Education Act*) provides for alternative programs that emphasize a particular language, culture, religion or subject-matter, or that use a particular teaching philosophy. The Alternative Programs Handbook explains the government's objective as follows:

> Alberta's learning system respects the right and responsibility of parents to make decisions that best suit the needs of their children. By supporting programs of choice, the province strengthens the public school system and promotes the availability of diverse educational experiences for Alberta students. Over the last 15 years, legislation has encouraged school boards to work with parents, their community, and stakeholders to provide choices in educational programming that will meet the needs and interests of students and parents.

In a similar vein, the new *Education Act* (which will replace the current *School Act*) expressly adopts the language of Article 26 of the *Universal Declaration of Human Rights*, which states that "Parents have a prior right to choose the kind of education that shall be given to their children." Section 32 of the new *Education Act* states that "A parent has the prior right to choose the kind of education that shall be provided to the parent's child, and as a partner in education, has the responsibility to act as the primary guide and decision-maker with respect to the child's education."

Asserting that religious schools cannot be true to themselves because they receive government funding is an idea that has no basis in current legislation. Alberta's legislation does not require any school to alter or repudiate its beliefs, principles or standards of behaviour in order to receive government funding. In fact, legislation provides that *these schools are compelled to further the legislative objective*, rather than contravene it.

Alberta's current legislation respects the fact that every school in Alberta, whether public, Catholic, private, or charter, has an underlying belief system. Every school imparts knowledge from a particular set of assumptions or worldview. Adherence to specific beliefs is not limited to

Christian schools. Public schools adhere to assumptions and values as much as religious schools do, and have their own teachings about what they consider to be "sin".

Those who demand an end to government funding for religious schools see their own beliefs as neutral and objective (and therefore worthy of public funding), and see others' beliefs as somehow biased or prejudiced (and therefore not worthy of public funding). This intolerance runs counter to Alberta's legislation, which seeks authentic diversity and maximum choice for parents.

The Supreme Court of Canada in *Caldwell et al. v. Stuart et al.*, [1984] 2 SCR 603, interpreted human rights legislation so as to protect Christian schools that require certain qualifications of their staff. The Court upheld the decision of a Catholic school to dismiss a teacher for not adhering to certain requirements of the Catholic faith. The Court held that schools have a legal right to demand that teachers comply with the school's standards of behaviour outside of the classroom.

The *Charter* characterizes freedom of religion and conscience as a "fundamental freedom" that protects the freedom to declare, teach, disseminate and practice beliefs that are based on one's religion or conscience. The *Charter* protects all individuals from government coercion, including atheists, agnostics, and those without any formal or specific belief system. Likewise, Article18 of the United Nations *Universal Declaration of Human Rights* protects atheists and agnostics from government coercion as much as it protects theists, by guaranteeing "freedom of thought, conscience and religion."

Courts have repeatedly and consistently required the government to accommodate religious belief, for example: where a student requested that he carry a religious item with him to school on the basis that his faith called for such a practice (*Multani v. Commission scolaire Marguerite-Bourgeoys*, 2006 SCC 6); where a RCMP officer requested that he wear a turban as a requirement of his faith (*Grant v. Canada (Attorney General)*(T.D.), [1995] 1 FC 158); and where a Seventh-Day Adventist requested from her employer that she not be required to work on Saturdays, as a result of the requirement of her faith (*Ont. Human Rights Comm. v. Simpsons-Sears* [1985] 2 SCR 536).

In *Chamberlain v. Surrey School District No. 36*, 2002 SCC 86, a case concerning same-sex materials used in school curriculum, the Court unanimously agreed that secularism means religious inclusion, not exclusion:

> …..nothing in the *Charter*, political or democratic theory, or a proper understanding of pluralism demands that atheistically based moral positions trump religiously based moral positions on matters of public policy. I note that the preamble to the *Charter* itself establishes that ". . . Canada is founded upon principles that recognize the supremacy of God and the rule of law"….if one's moral view manifests from a religiously grounded faith, it is not to be heard in the public square, but if it does not, then it is publicly acceptable. The problem with this approach is that everyone has "belief" or "faith" in something, be it atheistic, agnostic or religious. To construe the "secular" as the realm of the "unbelief" is therefore erroneous. Given this, why, then, should the religiously informed conscience be placed at a public disadvantage or disqualification? To do so

would be to distort liberal principles in an illiberal fashion and would provide only a feeble notion of pluralism.

Recently, the right of Trinity Western University (TWU) to start a law school has been challenged by those who disagree with TWU's Community Covenant, which defines marriage as the union of one man and one woman. In *Trinity Western University v. British Columbia College of Teachers*, 2001 SCC 31, [2001] 1 SCR 772, the Court upheld TWU's *Charter* right to maintain its education program for training teachers, without altering or repudiating its own Community Covenant.

The greatest strength of Alberta's education system is its commitment to authentic diversity and maximum choice for parents. That strength is now under vociferous attack.

Tolerance does not consist of using "diversity" and "respect" as slogans to attack parental choice in education, or to censor disagreements about sexuality and sexual behaviour. Rather, tolerance means accepting the authentic diversity expressed by a wide range of different schools. Parents are not compelled to send their children to a school that has a belief system or code of conduct with which parents disagree.

Parental choice in education is rendered meaningless if religious schools cannot define and live out their own mission and purpose. Catholics, Hindus, Jews, Muslims, Sikhs, and Evangelical Christians are subject to the same taxes as those who reject any or all of these religions. Alberta's legislation empowers all parents with the same right to send their children to a school that teaches a worldview consistent with that taught at home.

If religious schools in Alberta cannot develop, express, maintain and live out their own beliefs, without being disqualified from government funding, then Alberta's education system will lose the authentic diversity which is its greatest strength.

Introduction: a solution in search of a problem

Christian schools in Alberta are facing hostility and criticism over their statements of faith, their codes of conduct, and their moral expectations of staff and students, particularly those pertaining to sexual behaviour. Some are demanding that the Alberta government stop funding Christian schools unless these schools repudiate their own mission, vision, beliefs and practices.

This hostility towards Christian schools is not based on, or supported, by law. Rather, this hostility is based on incorrect ideas about secularism. Correctly understood, secularism provides for diversity in belief and conduct, rather than requiring all individuals to void themselves of any and all belief. Alberta's legislation does not require religious schools to repudiate their own religious doctrines because they are publicly funded. Rather, the legislation enables schools to have a religious purpose in order to maximize choice for parents.

The demand that Christian schools must repudiate their own statements of faith and codes of conduct in order to receive government funding is based on the erroneous belief that schools are not entitled to place any moral requirements on students and staff. The demand for an end to government funding of Christian schools is also based on the false belief that the schools' codes of conduct are contrary to the *Alberta Human Rights Act*, and contrary to the *Canadian Charter of Rights and Freedoms* ("*Charter*").

For reasons explained in this paper, these assumptions and demands have no basis in law. Alberta's legislation provides for authentic diversity in education, and empowers parents with the right to choose the school they see as best for their children. Further, the *Charter* does not require those with religious faith to contravene their own faith in a school setting. Instead, the *Charter* protects diversity and choice by requiring government to accommodate religious belief.

Alberta's legislation expressly protects diversity and choice

In harmony with the *Charter*'s protection of freedom of religion and conscience, the Alberta *School Act* (Revised Statutes of Alberta 2000, Chapter S-3) has provided accommodation by legislating for alternative programs:

> **Alternative programs**
>
> 21(1) In this section, "alternative program" means an education program that
>
> (a) emphasizes a particular language, culture, religion or subject-matter, or
>
> (b) uses a particular teaching philosophy,
>
> but that is not a special education program, a program referred to in section 10 or a program of religious education offered by a separate school board.

More explanation on these programs can be found in the Alternative Programs Handbook ("Handbook"), of which page 1 explains the government's objective concerning the establishment of alternative programs:

> Alberta's learning system respects the right and responsibility of parents to make decisions that best suit the needs of their children. By supporting programs of choice, the province strengthens the public school system and promotes the availability of diverse educational experiences for Alberta students. Over the last 15 years, legislation has encouraged school boards to work with parents, their community, and stakeholders to provide choices in educational programming that will meet the needs and interests of students and parents.

This same section is also found in section 19 of the new *Education Act* (Statutes of Alberta, 2012, Chapter E-0.3).

The Alberta government established alternative programs and funds them in order to nurture diversity, and to support maximum choice, in order to "meet the needs and interests of students and parents". This worthy objective is in keeping with the *Charter*.

The *Universal Declaration of Human Rights* and the *Education Act*

In a similar vein, the new *Education Act* (which will replace the current *School Act*) expressly adopts the language of Article 26 of the *Universal Declaration of Human Rights*, which states that "Parents have a prior right to choose the kind of education that shall be given to their children." The *Universal Declaration* was adopted in the context of a world-wide struggle between free societies and totalitarian regimes, the latter claiming a prior right to educate children into the government's ideology. Parents may, and often do, delegate the delivery of education to government entities, but the nature and degree of that delegation is theirs to determine. Section 32 of the new *Education Act* recognizes the authority that parents have.

> **Parent responsibilities**
>
> 32 A parent has the prior right to choose the kind of education that shall be provided to the parent's child, and as a partner in education, has the responsibility to act as the primary guide and decision-maker with respect to the child's education,

Government funding does not oust a school's religious purpose

Some individuals contend that the government can require religious schools to modify or repudiate their codes of conduct, including their religious teachings about human sexuality, due to the fact that they are government-funded.

But government funding is not the issue. Legislation is. The Alberta government has legislated to provide maximum choice for parents, and provides funding for authentic diversity in education, with this diversity including religious schools. Suggesting that religious schools cannot be true to themselves because they receive government funding is an idea that has no basis in current legislation. The right of religious schools to believe and practice their faith is not dependent on government funding. Rather, it is dependent on provisions of the *School Act* now in force, and provisions in the new *Education Act* which will replace it.

As part of the diversity of choice available to Alberta parents, the government's legislation also facilitates a wide range of different private schools (including religious private schools), as well as homeschooling. There are different levels and formulas of funding for different kinds of schools. Alberta's legislation does not require any school to alter or repudiate its beliefs, principles or standards of behaviour in order to receive government funding. Under current legislation, it is illegal to demand that Christian schools to reject their beliefs and practices in order to receive government funding.

Those who assert that the government has a right to prohibit the practice or exercise of religious doctrine due to government funding confuse religious schools with public schools that are not tied to any identifiable faith. Public schools are secular in nature, as required by law. Religious schools are religious in nature, as required by law. Both types of schools are allowed, and indeed expected, to adhere to their objectives by Alberta's legislative framework.

In like manner, Catholic schools receive government funding without any demand or condition that the schools abandon their religiously-based expectations of the behaviour of students and staff. While the Catholic schools' funding rights are constitutional and not merely legislative, the principle is the same: government funding does not serve as a basis for demanding that a religious school cease to be true to itself.

Alberta's current legislation respects the fact that every school in Alberta, whether public, Catholic, private, or charter, has an underlying belief system. Every school imparts knowledge from a particular set of assumptions or worldview. Adherence to specific beliefs is not limited to Christian schools. Public schools adhere to assumptions and values as much as religious schools do, and have their own teachings about what they consider to be "sin".

Those who demand an end to government funding for religious schools see their own beliefs as neutral and objective (and therefore worthy of public funding), and see others' beliefs as somehow biased or prejudiced (and therefore not worthy of public funding). This intolerance is especially pronounced when it comes to beliefs about sexuality and sexual behaviour. Self-styled progressives, who divorce sex from marriage and accept all consensual sexual behaviour as legitimate, adhere to one particular opinion or belief. Traditionalists, who see sex as sacred and as inextricably bound to the marriage of one man and one woman, adhere to a different opinion or belief.

In a free society, and in the context of government funding for education, neither progressives nor traditionalists have the right to impose their views about sex on others. Government funding comes from all taxpayers, who adhere to a broad range of differing worldviews. Suggesting that

tax dollars should flow only to schools that espouse a post-modern ideology about sexual behaviour is intolerant.

Government funding of different schools always generates intense and emotional public debate, in large part because nobody enjoys seeing her or his tax dollars going to fund schools with which one disagrees. But this proverbial knife cuts in all directions, since *every* school is based on a belief system that at least *some* taxpayers strongly disagree with.

In short, the argument that Christian schools must modify or repudiate their statements of faith or their codes of conduct *because they are government funded* has no basis in legislation.

And, as will be seen further below, this assertion also has no basis in human rights legislation or in the *Charter*.

Alberta's human rights legislation protects diversity in education

Some argue that the codes of conduct that religious schools expect their students and staff to adhere to are prohibited by human rights legislation. This is incorrect.

The *Alberta Human Rights Act* provides as follows:

> **Reasonable and justifiable contravention**
> **11** A contravention of this Act shall be deemed not to have occurred if the person who is alleged to have contravened the Act shows that the alleged contravention was reasonable and justifiable in the circumstances.
> RSA 2000 cH-14 s11;AR 49/2002 s4;2002 c30 s15

Section 11 of the *Alberta Human Rights Act* applies to protect the discretion of an organization in fulfilling its mission, vision and mandate, in situations that would otherwise constitute illegal discrimination.

Further to the Supreme Court of Canada ruling in *Caldwell et al. v. Stuart et al.*, [1984] 2 SCR 603, this human rights provision acts to protect Christian schools in Alberta that require certain qualifications of their staff, if these requirements are seen to be reasonable and justifiable in the circumstances.

In *Caldwell*, the Supreme Court of Canada interpreted the B.C. *Human Rights Code* as protecting the decision of a Catholic school to dismiss a teacher for not adhering to certain requirements of the Catholic faith. The Court stated:

> The religious or doctrinal aspect of the school lies at its very heart and colours all its activities and programs. The role of the teacher in this respect is fundamental to the whole effort of the school, as much in its spiritual nature as in the academic. It is my opinion that objectively viewed, having in mind the special nature and objectives of the

> school, the requirement of religious conformance including the acceptance and observance of the Church's rules regarding marriage is reasonably necessary to assure the achievement of the objects of the school.

The Supreme Court of Canada's decision in *Caldwell* establishes that schools have a legal right to demand that teachers comply with the school's standards of behaviour outside of the classroom.

Based on the *Caldwell* decision, there is no basis in law for asserting that a school cannot place moral demands on a teacher's behaviour outside of the school building.

This does not mean that a school must (or should) devote its limited resources to monitoring, regulating or policing teacher behaviour outside of the classroom. It does mean that when a teacher openly and publicly flaunts the beliefs and values of the school where she/he teaches, that this is grounds for disciplinary proceedings, up to and including dismissal.

Like the *School Act*, the *Alberta Human Rights Act* protects the right of Christian schools to adhere to and implement a covenant or code of conduct that is based on religious faith. Those who assert otherwise are often unsupportive of authentic diversity in education, asserting that the expression of religious faith has no place in the public sphere. This is intolerant, misinformed and not based in law.

Charter protection for freedom of religion and conscience, for all

The *Charter* characterizes freedom of religion and conscience as a "fundamental freedom" that protects the freedom to declare, teach, disseminate and practice beliefs that are based on one's religion or conscience. The *Charter*'s protection is not limited to religion as such. It extends to protect all individuals from government coercion, including atheists, agnostics, and those without any formal or specific belief system. Likewise, Article18 of the United Nations *Universal Declaration of Human Rights* protects atheists and agnostics from government coercion as much as it protects theists, by guaranteeing "freedom of thought, conscience and religion."

Foundational principles concerning freedom of religion were laid down by the Supreme Court of Canada in *R. v. Big M Drug Mart Ltd.*, [1985] 1 SCR 295 at paragraph 94:

> A truly free society is one which can accommodate a wide variety of beliefs, diversity of tastes and pursuits, customs and codes of conduct. A free society is one which aims at equality with respect to the enjoyment of fundamental freedoms and I say this without any reliance upon s. 15 of the *Charter*. Freedom must surely be founded in respect for the inherent dignity and the inviolable rights of the human person. The essence of the concept of freedom of religion is the right to entertain such religious beliefs as a person chooses, the right to declare religious beliefs openly and without fear of hindrance or reprisal, and the right to manifest religious belief by worship and practice or by teaching and dissemination.

Section 2(a) of the *Charter* protects the freedom to declare, teach, disseminate and practice beliefs that are based on one's religion or conscience. This protects all individuals from

government coercion, including atheists, agnostics, and those without any formal or specific belief system.

Every person holds metaphysical beliefs in respect of questions like: Why do we exist? What is right and wrong? How should we behave? Science can tell you how to end the life of a convicted murderer, but not whether it is right or wrong to do so, or why, or under what circumstances, if any. The process of discerning and then pursuing one's conscience is therefore a profoundly individual exercise, but one which requires respecting that the struggles of others may lead them to different conclusions about truth. The fundamental freedom of religion and conscience, enshrined in the *Charter*, protects the rights of atheists, agnostics, and theists alike to ponder these questions, arrive at their own conclusions, share those conclusions with their fellow citizens, and live out their lives accordingly. Likewise, Article 18 of the United Nations *Universal Declaration of Human Rights* also guarantees "freedom of thought, conscience and religion." This serves to protect atheists and agnostics from government coercion as much as it protects theists.

Freedom of conscience demarcates a barrier for the benefit of *all* citizens, theists and atheists alike, beyond which the state may not go. The state can, within limits, compel us to give our time, talent and treasure. It cannot, however, compel us to change our minds on matters of conscience. This applies, irrespective of whether a theocracy is seeking to compel agnostic or atheist people to adopt a particular faith, or whether a secular regime seeks to compel believers to disclaim theirs. In short, freedom of conscience and religion is not only a human right, but the most fundamental human right. When we marginalize this right, we invite the state into the last refuge for individual liberty.

The suppression of religion is a consistent feature of totalitarian regimes. Communist China's persecution of Tibetan Buddhism and the Falun Gong, and Hitler's coercion of German churches to adopt a new theology featuring an Aryan Jesus, are merely two examples from a long and shameful list. The reason dictatorships target religion is twofold: (1) totalitarian regimes will not tolerate people who believe in an authority that is higher than the state; and (2) totalitarian regimes do not recognize limits to their entitlement to force people to change their minds.

In stark contrast, a free society allows adherents of all religious and non-religious faiths (including agnostics, atheists, and people who believe in God without adhering to any particular religion) to proclaim what they believe to be the truth. Not only does a free society permit the dissemination of all beliefs; it also permits people to put their beliefs into practice by acting upon their conscience.

This hallmark of a free society is not for the faint-hearted. Allowing people to act upon their conscience inevitably leads to hurt feelings. Every moral code, after all, excludes or judges the non-compliant, whether it is the moral code of an atheist vegetarian or that of a Christian pacifist.

In short, because a free society allows people to act upon their own beliefs, no-one within that society can demand that their feelings not be hurt. While we must all *tolerate* each other's beliefs and lifestyles, we do not have to *approve* of others' beliefs and lifestyles. Tolerance and approval are very different things. Criticism and hurt feelings are the unavoidable result of free public discourse, and of people exercising their freedom of conscience.

Courts have held repeatedly and consistently that religious beliefs must be accommodated by government. For example, courts have expressly required the accommodation of religious belief where a student requested that he carry a religious item with him to school on the basis that his faith called for such a practice (*Multani v. Commission scolaire Marguerite-Bourgeoys*, 2006 SCC 6); where a RCMP officer requested that he wear a turban as a requirement of his faith (*Grant v. Canada (Attorney General)*(T.D.), [1995] 1 FC 158); and where a Seventh-Day Adventist requested from her employer that she not be required to work on Saturdays, as a result of the requirement of her faith (*Ont. Human Rights Comm. v. Simpsons-Sears* [1985] 2 SCR 536).

Like muscles which atrophy when not used, rights must be asserted and exercised if they are to retain their strength, their value, and their relevance. When citizens abandon their *Charter*-protected fundamental freedoms in the face of misguided and intolerant demands, they hurt not only themselves, but all Canadians. Decisions made today will influence not only the students currently enrolled, but future generations.

As University of Victoria law professor Mary Anne Waldron explains it:

> A weakening of any of the fundamental freedoms means a curtailment in the process of democratic conversation, a reduction in the opportunity for social change, and a limitation on citizens' free participation in our society" (Free to Believe, page 14).

Court ruling: religion is welcome in the public sphere

In *Chamberlain v. Surrey School District No. 36*, 2002 SCC 86, a case concerning same-sex materials used in school curriculum, the Court unanimously agreed that secularism means religious inclusion, not exclusion. The Court, at paragraph 137, held that the expression of religious belief should not be excluded from the public sphere:

> In my view, Saunders J. below erred in her assumption that "secular" effectively meant "non-religious". This is incorrect since nothing in the *Charter*, political or democratic theory, or a proper understanding of pluralism demands that atheistically based moral positions trump religiously based moral positions on matters of public policy. I note that the preamble to the *Charter* itself establishes that ". . . Canada is founded upon principles that recognize the supremacy of God and the rule of law". According to the reasoning espoused by Saunders J., if one's moral view manifests from a religiously grounded faith, it is not to be heard in the public square, but if it does not, then it is publicly acceptable. The problem with this approach is that everyone has "belief" or "faith" in something, be it atheistic, agnostic or religious. To construe the "secular" as the realm of the "unbelief" is therefore erroneous. Given this, why, then, should the religiously informed conscience be placed at a public disadvantage or disqualification? To do so would be to distort liberal principles in an illiberal fashion and would provide only a feeble notion of pluralism. The key is that people will disagree about important issues, and such disagreement, where it does not imperil community living, must be capable of being accommodated at the core of a modern pluralism.

Trinity Western University: religious freedom upheld by the Court

Recently, the right of Trinity Western University (TWU) to start a law school has been challenged by those who disagree with TWU's Community Covenant, which defines marriage as the union of one man and one woman. In regard to its education program for training teachers, TWU relied upon its *Charter* right to adhere to and apply its own Community Covenant, and this was upheld by the Supreme Court of Canada in *Trinity Western University v. British Columbia College of Teachers*, 2001 SCC 31, [2001] 1 SCR 772. This Supreme Court of Canada ruling has played a decisive role in the recent decisions of the BC Government, the Law Society of British Columbia, the Federation of Law Societies of Canada, and other provincial Law Societies to approve the TWU law school on the basis of its academic and professional standards. In similar fashion, Alberta's Christian schools are not legally required to alter or repudiate their statements of faith, codes of conduct, and behavioural expectations of students and staff.

Heritage Christian Academy

Heritage Christian Academy is one of the Alberta schools recently subjected to public criticism over its covenants concerning moral behaviour.

Like all Christian schools in Alberta, Heritage Christian Academy has the legal right to maintain its statement of faith and code of conduct, under the *School Act*, the new *Education Act*, and the *Alberta Human Rights Act*.

The recitals of the Master Agreement (the "Agreement") between The Board of Trustees of the Palliser School Division No. 26 (the "Board") and The Heritage Christian Education Society of Calgary (the "Society"), establish that the Society requested and the Board agreed that Heritage Christian Academy ("HCA") would be "based on Christian values and worldview" and further that the Board "recognizes and supports" the Society's commitment to operating a school in accordance with, among other things, "the beliefs, core values, vision, [and] theological commitments" of the Society, which are set out in the Schedules to the Agreement.

Under section 3.1.1 of the Agreement, "[n]otwithstanding the Board's policies", the Society has the right and the responsibility to "determine and establish all policies for HCA" that relate to the "Society's Christian mission/purpose and focus; student admission requirements; [and] staff employed by the Society".[1]

The Society further has the responsibility and the right to "provide ongoing counsel and advice to the Principal" (Section 3.1.1.2) and to "[p]rovide leadership for staff development as it

[1] All staff of HCA must be approved by the Society (Sections 1.4, 5.2) and it is recognized as "essential" to the success of HCA that "[t]he religious beliefs and moral convictions of HCA Employees must be consistent with those principles set out in the Schedules" (Section 5.1).

pertains to the mission and vision of HCA as set out in the Schedules attached to this Agreement" (Section 3.1.1.3). One such relevant Schedule is Schedule "B", which is the Heritage Christian Academy Philosophy of Christian Education. It provides in section 1.h that HCA will instruct students in real life issues such as "human sexuality, etc. based on the wisdom and moral authority of the Bible."

The responsibility of the Principal of HCA is to work with the Society and the Board to "implement and maintain the principles set out in the Schedule[s]" (Section 2.4). Further, in the Agreement, the Board stated that it "herein commits to providing a program of studies to students whose parents desire an educational setting that operates in accordance with the principles outlined in the attached Schedules to this Agreement" (Section 2.2) and that it "will not attempt to change the essential nature of the HCA Alternative Program of the principles set out in the attached Schedules" (Section 8.4).

Protecting diversity in education and parental choice

The greatest strength of Alberta's education system is its commitment to authentic diversity and maximum choice for parents. That strength is now under vociferous attack.

Tolerance does not consist of using "diversity" and "respect" as slogans to attack parental choice in education, or to censor disagreements about sex. Rather, tolerance means accepting the authentic diversity expressed by a wide range of different schools. Parents are not compelled to send their children to a school that has a belief system or code of conduct with which parents disagree. This freedom of choice, to be meaningful, must extend to more than just one worldview.

Parental choice in education is rendered meaningless if religious schools cannot define and live out their own mission and purpose. Catholics, Hindus, Jews, Muslims, Sikhs, and Evangelical Christians are subject to the same taxes as those who reject any or all of these religions. All parents enjoy the same right to send their children to a school that teaches a worldview consistent with that taught at home.

The intolerant argument of self-styled progressives is that religious schools are not entitled to transmit the parents' beliefs about sexuality and sexual behaviour. This argument is based on a type of arrogance: progressives perceive their own opinions about sex to be absolute Truth, which should be imposed on fellow citizens, taxpayers and parents who disagree.

If religious schools in Alberta cannot develop, express, maintain and live out their own beliefs, without being disqualified from government funding, then Alberta's education system will lose the authentic diversity which is its greatest strength.